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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,032	08/18/2003	John C. Pescatore	016295.1401	3223

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EXAMINER

FAROOQ, MOHAMMAD O

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/643,032

Applicant(s)

PESCATORE, JOHN C.

Examiner

Mohammad O. Farooq

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1027 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-23 is/are allowed.
- 6) ☒ Claim(s) 1-9, 17 and 24-27 is/are rejected.
- 7) ☒ Claim(s) 10-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/2/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3-9, 17 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Futral, U.S. Pat. No. 6,112,263 in view of Casey, US 2003/0142674 A1.

2. As to claim 1, Futral teaches system comprising:

a plurality of server modules, each of said plurality of server modules having at least one central processing unit (CPU), memory and at least one server input-output (I/O) port (CPU, memory and ports are inherent since connected with other devices; col. 6, lines 22-29; fig. 2a); and

a plurality of input-output modules, each of said plurality of input-output modules having a module I/O port (ports are inherent since connected with other devices; col. 6, lines 22-29; fig. 2a).

Futral does not teach at least one input-output switch. Casey teaches I/O switch (virtual bridge and because of virtual channels; abstract; paragraph 0037-0042).

However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Futral and Casey because that would provide label values to the VPLS service (abstract).

3. As to claim 3, Futral teaches system, further comprising at least one native input-output device (IOPs, items 236 and 238; fig. 2a) in at least one of said plurality of server modules.

4. As to claim 4, Futral teaches system, wherein the at least one native I/O device is selected from the group consisting of USB, serial, keyboard, video and mouse (i.e. hardware elements such as connectors and cables; col. 5, line 62- col. 6, line 21).

5. As to claim 5, Futral does not teach Ethernet controller. Casey teaches Ethernet controller (inherent; paragraph 0002). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Futral and Casey because that would provide label values to the VPLS service (abstract).

6. As to claims 6-9, Futral teaches system, wherein module I/O port is a serial port, server I/O port is a serial port, server I/O port is a serial PCI I/O port and module I/O port is a serial PCI I/O port (col. 6, lines 3-48).

7. As to claim 17, Futral does not teach user interface.

Casey teaches user interface (inherent because of CE; paragraph 0023).

However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Futral and Casey because that would provide label values to the VPLS service (abstract).

8. As to claim 24, Futral teaches method, comprising the steps of:

providing a plurality of server modules, each of the plurality of server modules having at least one central processing unit (CPU), memory and at least one server input-output (I/O) port (CPU, memory and ports are inherent since connected with other devices; col. 6, lines 22-29; fig. 2a); and

providing a plurality of input-output (I/O) modules, each of the plurality of input-output modules having a module I/O port (ports are inherent since connected with other devices; col. 6, lines 22-29; fig. 2a).

Futral does not teach coupling. Casey teaches coupling (via virtual bridge and because of virtual channels; abstract; paragraph 0037-0042). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Futral and Casey because that would provide label values to the VPLS service (abstract).

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9. As to claims 25-27, Futral does not teach mapping, initializing and user interface.

Casey teaches mapping (since virtual bridge and because of virtual channels; abstract; paragraph 0037-0042), initializing and user interface (inherent because of CE; paragraph 0023). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Futral and Casey because that would provide label values to the VPLS service (abstract).

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Futral, U.S. Pat. No. 6,112,263 in view of Casey, US 2003/0142674 A1, further in view of Garnett et al. U.S. Pat. No. 6,148,348.

11. As to claim 2, neither Futral nor Casey teach a bridge for coupling the CPU to the memory and to the at least one server I/O port.

Garnett et al. teach a bridge for coupling the CPU to the memory and to the at least one server I/O port (col. 1, lines 40-51). However it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Futral and Casey with Garnett et al. because that would allow and arbitrate any internal bridge write accesses initiated by the processor (col. 2, lines 23-30).

Allowable Subject Matter

12. Claims 18-23 are allowed.


13. Claim 10-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (571) 272-4144. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mohammad O. Farooq
June 13, 2005